

1810.13 Permits and Licenses for Solid Waste Disposal Areas

Issued January 1, 1994

- SUBJECT:** Permits and Licenses for Solid Waste Disposal Areas.
- APPLICATION:** An Executive Branch Department or Sub-unit which engages in construction and operation of a solid waste disposal area.
- PURPOSE:** To regulate the construction, operation and maintenance of solid waste disposal facilities so as to protect public health and the environment.
- CONTACT AGENCY:** Department of Natural Resources (DNR) - Waste Management, Technical Services Section or District Field Offices.
- TELEPHONE:** 517/335-4035
- FAX:** 517/373-4797
- SUMMARY:** Either the Technical Services Section or any of the District field offices can provide construction permit and operating license applications. Technical review of permit and license applications is conducted by staff of the District field office. Operating licenses expire 2 years from the date of issuance.
- APPLICABLE FORMS:** PR-5501, Application for Solid Waste Disposal Area License.
PR-5522, Application for Solid Waste Disposal Area Construction Permit.

PROCEDURES:

General Information:

- A construction permit shall expire 1 year after the date of issuance, unless development under the permit is initiated within that year. An expired construction permit may be renewed on payment of a permit renewal fee and submission of any additional information the director of the DNR may require.

Instruction A: Permit

Applicant:

- Telephones the Technical Services Section or any Waste Management Division District field office, to obtain a copy of PR-5522 (rev. 12/85) and to discuss the permitting process.
- Before submitting the construction permit application, requests a health officer of a local health department certified by the department director, to provide an advisory analysis of the proposed disposal area.
- Not less than 15 days after the request, and notwithstanding the analysis result, completes and files an application for a construction permit.
 - Submits the application to the department director, through the local health officer, on a form provided by the director.
 - If the proposed disposal area is located in a county or city that does not have a certified health department, submits the application by sending it to the District field office responsible for the county in which the facility is proposed to be located.
- The application shall contain all information considered necessary by the director and shall be accompanied by an engineering plan and a construction permit application fee, as specified in § 10 of the Solid Waste Management Act (Public Act 641 of 1978, as amended).

DNR:

- An application will not be considered unless the proposed facility is consistent with the approved county solid waste management plan for the county in which the facility is proposed to be located.

- The District field office staff, on receipt of a construction permit application, shall notify parties specified in the Act, publish a notice in a newspaper, hold a public hearing if the required written request is submitted, provide the required technical review of the proposed disposal area plans, and make a recommendation to issue or to deny the application.
- The director shall make a final decision as to whether to issue or to deny a construction permit within 120 days after receipt of an administratively complete application. If the director fails to make a final decision within 120 days, the permit shall be considered issued.

Instruction B: License

Applicant:

- Telephones the Technical Services Section, or any Waste Management Division District field staff, to obtain a copy of PR-5501 (Rev. 7/91) and to discuss the licensing process.
- Submits the completed license application to the department director through a certified local health department.
 - If the disposal area is located in a county or city that does not have a certified health department, make the application directly to the director.
 - The application shall contain information required by the director and shall include a \$100 application fee. (For the specific matters required to be submitted, see the Act and related regulations.)
- The sanitary landfill license application must include a restrictive deed covenant on the land involved that is executed by all of the owners of the land and the DNR director.
 - If the land involved is State owned, the State Administrative Board shall execute the covenant on behalf of the State.
 - Special exemption may be granted by the director if the lands involved are federal lands.
 - The director or a local health officer shall file the restrictive covenant within the Office of the Registrar of Deeds of the county, or counties, in which the facility is located.
- A certification under the seal of a licensed professional engineer, verifying that the disposal area was constructed according to approved plans, must be submitted at the time of license application.

DNR:

- On receipt of a license application, Waste Management Division District field office staff or staff of the local health department shall inspect the site and determine if the proposed operation complies with the Solid Waste Management act and rules promulgated under it.
- The director will not license a landfill facility which is operating without an approved hydrogeologic monitoring program and the results of the program.
- The director shall not issue an operating license for a new disposal area unless the disposal area complies with and is consistent with the approved county solid waste management plan for the county in which the facility is located.
- The director shall not issue an operating license unless the applicant has filed, as part of the application, a bond to cover the cost of closure and of post-closure monitoring and maintenance of the disposal area. The amount of bonding required is specified in the Act.
- The director shall make a final decision as to whether to issue or deny an operating license within 90 days after receipt of an administratively complete application. If the director fails to make a final decision within 90 days, the license shall be considered issued.
- The written decision of the director and will be sent to the applicant by first class mail within 10 days after the final decision is made.
- An operating license shall expire 2 years after the date of issuance. If the licensee is in compliance with the Solid Waste Management Act, an operating license may be renewed before expiration on payment of the renewal application fee of \$100.

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